

110303 13281 U.S. PTO

PATENT  
ATTORNEY DOCKET NO.: 047255-5003-US

03945 U.S. PTO  
10/698426 110303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
MAIL STOP PATENT APPLICATION

TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. §1.53(b)

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Lauren D. Johnson, David W. Johnson, Jay M. Sandman, Douglas K. Miller,  
Jonathan M. Reich

For: ALFALFA PLANTS WITH DETECTABLE TANNIN LEVELS AND METHODS FOR  
PRODUCING SAME

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.

2. The papers enclosed to obtain a filing date are as follows:

41 Pages of Specification including:

0 Title Page

36 Pages of Description

4 Pages of Claims

1 Page of Abstract

3 Sets of drawings containing 4 sheets each

☒ The enclosed drawings are in color, and there is also attached a  
PETITION TO ACCEPT COLOR DRAWINGS

3. Combined Declaration and Power of Attorney is enclosed and executed by all inventors.

4. Language: English

5. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☒ Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/422,859	November 1, 2002

6. Small entity status is hereby asserted under 37 C.F.R. § 1.27.

## 7. Fee Calculation (37 C.F.R. §1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$770.00
			BASIC FEE	770.00
Total Claims (37 C.F.R. §1.16(c))	41 - 20 =	21	18.00	378.00
Independent Claims (37 C.F.R. §1.16(b))	8 - 3 =	5	86.00	430.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			290.00	290.00
<b>SUB-TOTAL =</b>				<b>1,868.00</b>
Reduction by 1/2 for filing by a small entity				934.00
<b>TOTAL FILING FEE =</b>				<b>\$934.00</b>

## 8. Fee Payment

☒ Please charge Deposit Account No. 50-0310 in the amount of \$934.00.

9. ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

## 10. Additional papers enclosed:

- ☒ Information Disclosure Statement  
☒ Form PTO-1449, 2 document included

**Please accord this application an application number and filing date.**

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



Erich E. Veitenheimer  
 Reg. No. 40,420

Dated: November 3, 2003

**Customer No. 09629**

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PATENT  
ATTORNEY DOCKET NO. 047255-5003-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of: Lauren D. JOHNSON *et al.*

Application No.: not yet assigned

Filed: November 3, 2003

For: ALFALFA PLANTS WITH DETECTABLE TANNIN LEVELS AND METHODS FOR  
PRODUCING SAME

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**PETITION TO ACCEPT COLOR DRAWINGS UNDER 37 C.F.R. § 1.84(a)(2)**

Pursuant to 37 C.F.R. § 1.84(a)(2), Applicant requests that the Patent and Trademark Office accept color drawings for this application, as the color drawings are necessary as the only practical medium by which to disclose the subject matter sought to be patented, and since no black and white copies are available. Pursuant to 37 C.F.R. § 1.84(a)(2)(ii), Applicant has submitted three copies of the color photographs. A check in the amount of \$130.00 to cover the petition fee pursuant to 37 C.F.R. § 1.17(h) is included. If the Office requires an additional petition fee or any other additional fees, please charge those fees to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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By:

Erich E. Veitenheimer  
Reg. No. 40,420

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